

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	File No.: EB-02-AT-100
)	
Radio 810 Nashville, Incorporated)	NAL/Acct. No. 200232480004
Licensee, Station WMGC(AM))	
Murfreesboro, Tennessee)	FRN 0006-3776-00

FORFEITURE ORDER

Adopted: March 20, 2003

Released: March 24, 2003

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of ten thousand dollars (\$10,000) to Radio 810 Nashville, Incorporated (“Radio 810”) licensee of Station WMGC(AM), Murfreesboro, Tennessee, for willfully violating Sections 73.1215(a), 73.1350(d)(2), and 73.1745(a) of the Commission’s Rules (“the Rules”).¹ The noted violations involve Radio 810’s failure to maintain properly calibrated indicating instruments, failure to terminate broadcast operation as required when Station WMGC(AM) operated in non-compliance with the technical rules, and its exceeding the authorized transmitter power at Station WMGC(AM) by failing to reduce power at sunset.

2. On June 18, 2002, the District Director of the Commission’s Atlanta, Georgia Field Office issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”)² in the amount of \$10,000 to Radio 810. Radio 810 has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED THAT**, pursuant to Section 503(b) of the Communications Act of 1934, as amended, (“the Act”),³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,⁴ Radio 810 **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$10,000 for willfully violating Sections 73.1215(a), 73.1350(d)(2), and 73.1745(a) of the Rules.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules⁵ within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁶ Payment shall be made by mailing a check or similar instrument, payable to the order of the “Federal Communications Commission,” to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200232480004, and FRN 0006-

¹ 47 C.F.R. § 73.1215(a), 73.1350(d)(2), 73.1745(a).

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200232480004 (Enf. Bur., Atlanta Field Office, released June 18, 2002).

³ 47 U.S.C. § 503(b).

⁴ 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁵ 47 C.F.R. § 1.80.

⁶ 47 U.S.C. § 504(a).

3776-00. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.⁷

5. **IT IS FURTHER ORDERED THAT** this *Order* shall be sent by regular mail and by certified mail, return receipt requested, to Radio 810 Nashville, Incorporated, Radio Station WMGC(AM), 4314 Cherry Court, Evansville, IN 47714.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

⁷ See 47 C.F.R. § 1.1914.